

REMARKS

Claims 1-11 are pending in this application. By this Amendment, claim 1 is amended.
No new matter is added.

Claims 1-11 were rejected under 35 U.S.C. §102(e) over Sugiyama et al., U.S. Patent No. 7,175,613. The rejection is respectfully traversed.

Claim 1 calls for a second leak preventer that does not allow feces to permeate or pass through the second leak preventer. As admitted on pages 4 and 5 of the Office Action, Sugiyama's layer 16 is a permeable layer. Consequently, one of ordinary skill in the art could not reasonably interpret Sugiyama as teaching or suggesting a second leak preventer that does not allow the feces to permeate or pass through the second leak preventer.

Further, Sugiyama's top sheet 16 contains a feces separator opening 17 which connects to space 25. Thus, feces passes through top sheet 16 via opening 17 and is received by space 25. Therefore, Sugiyama clearly allows feces to pass through top sheet 16. Consequently, one of ordinary skill in the art could not reasonably interpret Sugiyama as teaching or suggesting a second leak preventer that does not allow the feces to permeate or pass through the second leak preventer.

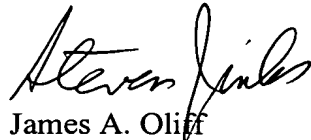
Claims 2-11 depend from, and are patentable with independent claim 1, as well as for the additional features they recite.

It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Request for Continued Examination

Date: February 10, 2009

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